

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JANE DOE,

No. C 07-05596 SI

v. Plaintiff,

**ORDER DENYING PLAINTIFF'S
DISCOVERY REQUESTS WITHOUT
PREJUDICE [Docket Nos. 251, 254]**

CITY OF SAN MATEO, et al.,

Defendants.

11 Plaintiff has recently filed two discovery motions [Docket Nos. 251, 254]. It appears that
12 plaintiff filed these requests without first meeting and conferring with opposing counsel. Local Civil
13 Rule 37-1 provides that the Court “will not entertain a request or a motion to resolve a disclosure or
14 discovery dispute unless, pursuant to Fed. R. Civ. P. 37, counsel have previously conferred for the
15 purpose of attempting to resolve all disputed issues.” *See Civ. Local R. 37.* To ““meet and confer” or
16 ‘confer’ means to communicate directly and discuss in good faith the issue(s) required under the
17 particular Rule or order [S]uch communication may take place by telephone. The mere sending
18 of a written, electronic, or voice-mail communication, however, does not satisfy a requirement to ‘meet
19 and confer’ or to ‘confer.’ Rather, this requirement can be satisfied only through direct dialogue and
20 discussion – **either in a face to face meeting or in a telephone conversation.**” *See Civ. Local R. 1-*
21 *5(n)* (emphasis added). Plaintiff is also notified that per this Court’s Standing Order, counsel seeking
22 the Court’s intervention in a discovery dispute shall file and serve a **letter brief, five pages or less.**

23 Accordingly, plaintiff's discovery requests are DENIED without prejudice. Plaintiff may refile
24 these requests if, after complying with the meet and confer requirement, she is unable to resolve these
25 matters with opposing counsel.

IT IS SO ORDERED.

27 || Dated: April 24, 2009

Susan Illston
SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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